

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CRIMINAL NO. 1:95CR20

FILED  
U.S. DIST. CT. N.C.  
2005 APR 14 PM 12:17

UNITED STATES OF AMERICA )

VS. )

ORDER

DOUGLAS WALTER CHILDS )  
\_\_\_\_\_ )

**THIS MATTER** is before the Court on remand with instructions from the Fourth Circuit Court of Appeals. *See, United States v. Childs*, 2005 WL 608217 (4<sup>th</sup> Cir. 2005).

Having considered the Circuit's decision and this Court being of the opinion that the ends of justice would best be served by dismissing Defendant's "Motion for Temporary Restraining Order in Junction (sic) and Show Cause Order," filed August 24, 2004, so that he may file his action in the appropriate district court,

**IT IS, THEREFORE, ORDERED** that the Defendant's motion is hereby **DISMISSED WITHOUT PREJUDICE**.

**THIS** the 14<sup>th</sup> day of April, 2005.

  
\_\_\_\_\_  
**LACY H. THORNBURG**  
**UNITED STATES DISTRICT COURT JUDGE**

DOCUMENT  
SCANNED

United States District Court  
for the  
Western District of North Carolina  
April 14, 2005

\* \* MAILING CERTIFICATE OF CLERK \* \*

Re: 1:95-cr-00020

True and correct copies of the attached were mailed by the clerk to the following:

Douglas Walter Childs  
#11950-058  
U. S. Penitentiary, Box PMB 150160  
601 McDonough Blvd., SE  
Atlanta, Ga 30315

cc:

Judge	(✓)
Magistrate Judge	( )
U.S. Marshal	(✓)
Probation	(✓)
U.S. Attorney	(✓)
Atty. for Deft.	( )
Defendant	( )
Warden	( )
Bureau of Prisons	( )
Court Reporter	( )
Courtroom Deputy	( )
Orig-Security	( )
Bankruptcy Clerk's Ofc.	( )
Other _____	( )

cc:  
Jud  
Mag  
U.S.  
Prob  
U.S.  
Att  
Def  
Ward  
Bureau  
Court  
Court  
Orig  
Bank  
Other

Date: \_\_\_\_\_

4-14-05

Frank G. Johns, Clerk

By: \_\_\_\_\_

Deputy Clerk